

Application No. 10/725,109

Response date July 6, 2005

Response to Final Office Action dated 2/8/2005 and Advisory Action dated 5/16/2005

REMARKS/ARGUMENTS

Claims 7-18 remain pending in this application through this Amendment. Claims 1 – 6 and 19 – 21 have been cancelled and claims 7, 12 and 16 – 18 have been amended. No new matter has been introduced into the application. As explained in more detail below, Applicants submit that all claims are in condition for allowance and respectfully request such action.

Interview Summary

An Interview Summary is filed concurrently with this Amendment. As indicated in the Interview Summary, it was agreed that claims 7-11 would be allowed if rewritten in independent form. In view of this indication, the Applicants have amended claim 7 to be in independent form and to incorporate the necessary limitations of the intermediate claims. Claims 8-11 have been amended to properly depend from claim 7, instead of cancelled claim 1. The Applicants, therefore, respectfully request allowance of claims 7-11.

Rejection of Claims 1 and 3-6 under 35 USC §103(a)

Claims 1 and 3-6 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No 4,675,945 to Evans ("Evans") in view of U.S. Pat. No. 5,165,216 to May ("May"). The Applicants traverse the rejection and submit the following Remarks.

The Office Action alleges Evans shows a "product netting machine comprising a base 56, a chute 38, ...voider gates 70-76 to form a rope section and clippers to clip the rope section of the netting." Without acquiescing in the Examiner's interpretation, Claims 1 and 3-6 have been cancelled to expedite the allowance of Claims 7-11. The cancellation of Claims 1 and 3-6 does not preclude the Applicant from prosecuting the subject matter of the claims in another related

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application. In view of the cancellation of Claims 1 and 3-6, the Applicants respectfully request reconsideration and withdrawal of this ground for rejection.

Rejection of Claims 16 and 17 under 35 USC §103(a)

Claims 16 and 17 are rejected under 35 USC §103(a) as being unpatentable over Evans in view of May, and further in view of the admitted prior art.

Through this Amendment, claims 16 and 17 have been amended to depend from claim 7. As stated above, claim 7 has been amended to be in independent form, as doing so was indicated by the Examiner to place the claims in allowance. The Examiner has indicated that neither Evans nor May teaches or suggests the recited aspects of claim 7, either individually or in combination. For these reasons and for the additional limitations in claims 16 and 17, claims 16 and 17 are not obvious over Evans in view of May. The applicants, therefore, respectfully request reconsideration and withdrawal of this ground for rejection.

Rejection of Claims 12-15 under 35 USC §103(a)

Claims 12-15 are rejected under 35 USC §103(a) as being unpatentable over Evans in view of May and U.S. Pat. No. 3,763,621 to Klein ("Klein"). The Applicants traverse the rejection and provide the following Remarks.

The Office Action states it would have been obvious to one skilled in the art to provide the pivotable guides of Klein with the machine of Evans. Through this Amendment, claim 12 has been amended to depend from claim 7. As stated above, claim 7 has been amended to be in independent form, as doing so was indicated by the Examiner to place the claims in allowance.

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The Examiner has indicated that neither Evans nor May teaches or suggests the recited aspects of claim 7, either individually or in combination. For these reasons and for the additional limitations in claims 12 – 15, claims 12 – 15 are not obvious over Evans in view of May. The applicants, therefore, respectfully request reconsideration and withdrawal of this ground for rejection.

Rejection of Claim 18 under 35 USC §103(a)

Claim 18 is rejected under 35 USC §103(a) as being unpatentable over Evans in view of May and U.S. Pat. No. 3,815,323 to Longo ("Longo"). The Applicants traverse the rejection and submit the following Remarks.

The Office Action states it would have been obvious to one skilled in the art to provide the ribs of Longo with the chute of Evans. Through this Amendment, claim 18 has been amended to depend from claim 7. As stated above, claim 7 has been amended to be in independent form, as doing so was indicated by the Examiner to place the claims in allowance. The Examiner has indicated that neither Evans nor May teaches or suggests the recited aspects of claim 7, either individually or in combination. For these reasons and for the additional limitations in claim 18, claim 18 is not obvious over Evans in view of May. The applicants, therefore, respectfully request reconsideration and withdrawal of this ground for rejection.

Conclusion

The claims as now presented are believed to be in allowable condition. No new matter has been introduced into the application. In light of the above arguments, applicants respectfully

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request reconsideration of the application and allowance of all pending claims. Please feel free to contact the undersigned should any questions arise with respect to this application that may be addressed by telephone.

Respectfully submitted,

Dated: July 6, 2005

By:


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